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United Therapeutics Corporation*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED THERAPEUTICS CORPORATION,

Plaintiff,

V.

WATSON LABORATORIES, INC.,

Defendant.

Honorable Peter G. Sheridan

Civil Action No: 3:15-cv-5723
(PGS/LHG)

CONSENT ORDER

THIS MATTER having been brought before the Court by consent of Plaintiff, United Therapeutics Corporation, and Defendant, Watson Laboratories, Inc., as appears from the signatures of their respective counsel of record below, and for good cause having been shown:

WHEREAS, on January 13, 2016, this Court entered a Stipulated Protective Order (“Protective Order”) in this matter (Dkt. No. 36),

WHEREAS, paragraph 10 of the Stipulated Protective Order defined “Highly Confidential Qualified Persons,” *inter alia*, as outside counsel who agree not to be engaged in the drafting or prosecution of certain patent applications or in the drafting of submissions (paragraph 10a(ii)) or counseling related to certain products to the U.S. Food and Drug Administration (“FDA”) (paragraph 10a(iii)) for one (1) year after the non-appealable termination of this action;


WHEREAS, the Protective Order also indicated, at paragraph 39, that it “may be amended as need may arise by written agreement of the parties, subject to court approval;”

WHEREAS, the parties have agreed to jointly request the District Court to modify the Stipulated Protective Order to remove the prohibitions set forth in paragraphs 10a(ii) and 10a(iii) of that Stipulated Protective Order that Highly Confidential Qualified Persons shall “not ... be engaged in the drafting or prosecution of patent applications concerning compositions, treatment methods, or formulations containing treprostinil for one (1) year after the non-appealable termination of this action” and shall “not ... be engaged in” “the drafting of submissions relating to compositions, treatment methods, or formulations containing treprostinil to the U.S. Food and Drug Administration (‘FDA’), or counseling on such matters related to FDA regulatory issues” “for one (1) year after the non-appealable termination of this action.”

IT IS ON THIS 20th day of September, 2018,

ORDERED that the Court hereby modifies the Stipulated Discovery Confidentiality Order (Dkt. No. 36) such that the foregoing “agree not to be engaged...for one (1) year after the non-appealable termination of this action” prohibitions in paragraphs 10a(ii) and 10a(iii) of the Stipulated Discovery Confidentiality Order are removed.

IT IS SO ORDERED.



Honorable Lois H. Goodman
United States Magistrate Judge

Respectfully submitted,

United Therapeutics Corporation,

Watson Laboratories, Inc.,

By its attorneys,

By its attorneys,

s/William J. O'Shaughnessy
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